

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	:	
<b>GARY L. MOTTELER JR.</b>	:	<b>CASE NO. 1:22-bk-00707-HWV</b>
<b>aka GERALD L. MOTTELER</b>	:	
<b>aka GARY L. MOTTELER</b>	:	
<b>Debtors</b>	:	<b>CHAPTER 13</b>
	:	
<b>GARY L. MOTTELER JR.</b>	:	
<b>aka GERALD L. MOTTELER</b>	:	
<b>aka GARY L. MOTTELER</b>	:	
<b>Movants</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>JACK N. ZAHAROPOULOS, ESQUIRE</b>	:	
<b>LAURA E. MOTTELER</b>	:	
<b>PNC MORTGAGE</b>	:	
<b>HARTFORD COUNTY TAX CLAIM BUR.:</b>	:	
<b>Respondents</b>	:	

**ORDER**

Upon consideration of Debtor's Motion to Sell Real Estate Free and Clear of Liens, Doc. 59, the Answer filed by PNC Bank, Doc. 63, and the hearing held on January 17, 2024, for the reasons stated on the record, the Court finds that the Buyer (and/or its designee) is a good faith purchaser for purposes of Section 363(m) and (n) and for purposes of *In re Abbotts Dairies of Pennsylvania Inc.*, 788 F.2d 143 (3<sup>rd</sup> Cir. 1986), and it is

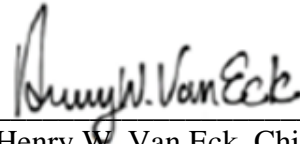
**ORDERED** that Federal Bankruptcy Rule 6004(g) is not applicable, and the real property may be sold and purchased immediately upon entry of Order of Court approving same and that the sale of real estate at 100 Spesutia Road, Aberdeen, Hartford County, Maryland, free and clear of liens, to Nerieth Alegria Pantoja for \$219,000.00 is approved and distribution of the proceeds as set forth below shall be permitted:

1. Payment of all closing costs for which Debtor is liable.
2. Payment of attorneys fees in the amount of \$3,500.00, to be applied to Debtor's costs and Attorney fees, billed on an hourly basis, and approved by the Bankruptcy Court.
3. Payment of any and all other miscellaneous fees involved with the sale.
4. Payment of any liens and mortgages.
5. As long as same is a valid lien on subject real estate, payment in full of Hartford County Tax Claim Bureau real estate taxes, if any, or else the sale will not occur.
6. As long as same is a valid lien on subject real estate, payment in full of PNC Mortgage, or else the sale will not occur. Debtor's counsel and/or Debtor's closing agent shall obtain a current payoff quote from PNC Mortgage to ensure the full amount of PNC's mortgage lien is paid. Debtor's counsel and/or Debtor's closing agent shall contact PNC Mortgage the day of closing to ensure the payoff amount is valid and correct. PNC's mortgage lien shall be paid in full through the sale of the property. Any short sale must be approved by creditor in writing prior to the sale.
7. If there are net proceeds remaining after paying all the costs, fees and liens set forth in the preceding paragraphs, then payment to the Debtor and his wife, Laura Motteler, up to the total amount of the exemption in subject real estate. The total exemption pursuant to Debtor's Schedules is \$190,600.00 (100% of value at the time of filing the bankruptcy).
8. If there are net proceeds remaining after paying all the costs, fees and liens set forth in the preceding paragraphs, then payment to Trustee Jack N. Zaharopoulos in an amount up to the amount necessary to fully fund the Plan, less any amount otherwise payable to a secured creditor pursuant to Debtor's Plan, which is, in fact, paid at settlement.

9. If there are net proceeds remaining after paying all of the costs, fees and liens set forth in the preceding paragraphs, then payment of any and all attorney fees owed to Debtor's counsel for representation in the above matter and which have been previously approved by the Court.

10. If there are net proceeds remaining after paying all the costs, fees and liens set forth in the preceding paragraphs, then the remaining balance, if any, shall be distributed to the Debtor and his wife, Laura Motteler.

By the Court,

A handwritten signature in black ink, appearing to read "Henry W. Van Eck", written over a horizontal line.

Henry W. Van Eck, Chief Bankruptcy Judge  
Dated: January 17, 2024